

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

NATIONAL FIRE & MARINE
INSURANCE CO.,

Plaintiff,

v.

NEWTOWN SQUARE, LLC,

Defendant,

CIVIL ACTION
NO. 21-5397

NEWTOWN SQUARE, LLC,

Third Party Plaintiff,

v.

BTC INSURANCE SERVICES, LLC, KISH
NORTH, and WORLDWIDE FACILITIES,
LLC,

Third Party Defendants.

ORDER

AND NOW, this 19th day of December 2022, upon consideration of Worldwide's Motion to Dismiss (ECF 26) and Newtown Square's Response (ECF 34), it is hereby **ORDERED** that Worldwide's Motion is **GRANTED IN PART and DENIED IN PART**. Worldwide's Motion is **DENIED** with respect to Count II and is **GRANTED** with respect to Counts I and III.

BY THE COURT:

/s/ Gerald J. Pappert
GERALD J. PAPPERT, J.